

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**TOM A. GOODMAN, et al.,**

**Plaintiffs,**

**v.**

**BLUE CROSS BLUE SHIELD OF  
ALABAMA, et al.**

**Defendants.**

**Case No.: 2:16-cv-00370-RDP**


**ORDER OF DISMISSAL WITHOUT PREJUDICE**

On November, 30, 2020, in *In Re Blue Cross Blue Shield Antitrust Litigation*, MDL 2406, Case No. 2:13-cv-20000-RDP, the court entered a Memorandum Opinion and Order Preliminarily Approving Settlement, Plan of Distribution, and Notice Plan, and Directing Notice to the Class. (Case No. 2:13-cv-20000-RDP, Doc. # 2641). The Subscriber Plaintiffs (on behalf of themselves and the Settlement Classes) have moved for certification of a settlement class. The Subscriber Plaintiffs and Settling Defendants also have entered into and executed a Settlement Agreement, which, if finally approved by the court, will result in the settlement of all of Subscriber Plaintiffs' underlying claims against the Settling Defendants and all the Subscriber cases filed in this MDL. In the Memorandum Opinion and Order referenced above, the court has given preliminary approval to that Settlement and concluded that it will likely be able to certify the classes for purposes of judgment on the proposed settlement..

There are a total of forty-one underlying Subscriber cases pending in this court. This case is one of those. Because of the pending Settlement, this case is **DISMISSED WITHOUT PREJUDICE**, with the following protections put in place for the benefit of the parties.

The court **SHALL RETAIN JURISDICTION** over this matter for the purpose of fully considering the approval of the parties' Settlement reached by the parties. In the event that the court does not grant final approval of the Settlement, final approval is granted but reversed on appeal, or the Settlement Agreement is rescinded, either party may move to reinstate this action. If reinstated, the case will be fully returned to its current posture as if it were never dismissed. In other words, the parties and this case will be fully restored to the positions they held immediately before entry of this order. The case will be reinstated to the court's docket without the requirement of a filing fee. In the event of reinstatement of this action, all parties shall have all rights, claims, and defenses that they possessed immediately before entry of this order.

**DONE** and **ORDERED** this November 30, 2020.

  
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**R. DAVID PROCTOR**  
UNITED STATES DISTRICT JUDGE